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Jun 22, 1973

DEPARTMENT OF THE INTERIOR

FINAL

ENVIRONMENTAL STATEMENT

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PROPOSED

BRIGANTINE WILDERNESS AREA, NEW JERSEY

PREPARED BY

BUREAU OF SPORT FISHERIES AND WILDLIFE
U. S. DEPARTMENT OF THE INTERIOR
WASHINGTON, D. C.

Chief, Office of Environmental Quality

SUMMARY

U.S. Department of the Interior, Bureau of Sport Fisheries and Wildlife

() Draft

(X) Final Environmental Statement

1. TYPE OF ACTION: Legislative.
2. DESCRIPTION OF ACTION INDICATING WHAT STATES AND COUNTIES PARTICULARLY AFFECTED: Proposal recommends that approximately 4,250 acres, comprising 17 islands, of the 19,356-acre Brigantine National Wildlife Refuge, located in Atlantic and Ocean Counties, 10 miles north of Atlantic City, New Jersey, be designated as wilderness within the National Wilderness Preservation System.
3. SUMMARY OF ENVIRONMENTAL IMPACT AND ADVERSE ENVIRONMENTAL EFFECTS: No significant immediate or long-range environmental change would occur on the area as a result of the proposed action. There are no known developments within or outside the proposed area that would adversely affect wilderness area designation.
4. ALTERNATIVES CONSIDERED: Reject the proposal and continue existing management of the area as a national wildlife refuge.
5. COMMENTS HAVE BEEN REQUESTED FROM THE FOLLOWING:
 - *Department of Transportation
 - *Department of Agriculture
 - *Department of Commerce
 - *Department of Defense
 - Department of the Interior
 - *Bureau of Outdoor Recreation
 - *National Park Service
 - *U.S. Geological Survey
 - *Environmental Protection Agency
 - New Jersey State Clearinghouse (Final Statement only)
6. DATE STATEMENT FORWARDED TO COUNCIL ON ENVIRONMENTAL QUALITY AND NOTICE OF AVAILABILITY TO THE PUBLIC SENT TO FEDERAL REGISTER: _____.

DRAFT: 2-1-72

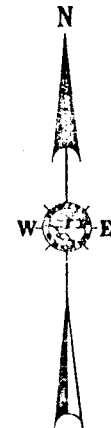
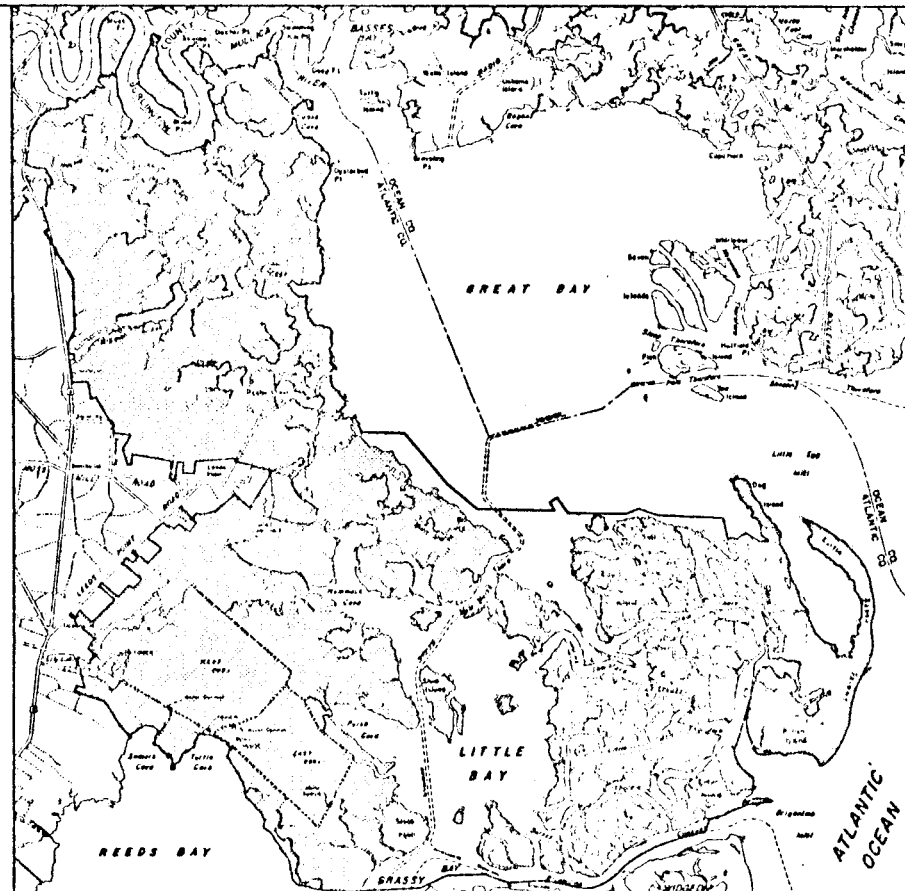
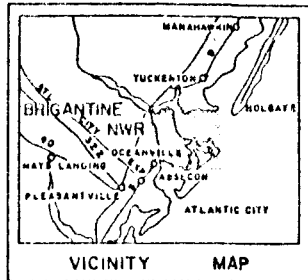
*Comments received and appended.

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BRIGANTINE WILDERNESS PROPOSAL

NEW JERSEY

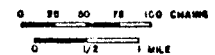


LEGEND

- PROPOSED WILDERNESS
- OTHER REFUGE LANDS
- EXCLUSION AREAS

JULY, 1971

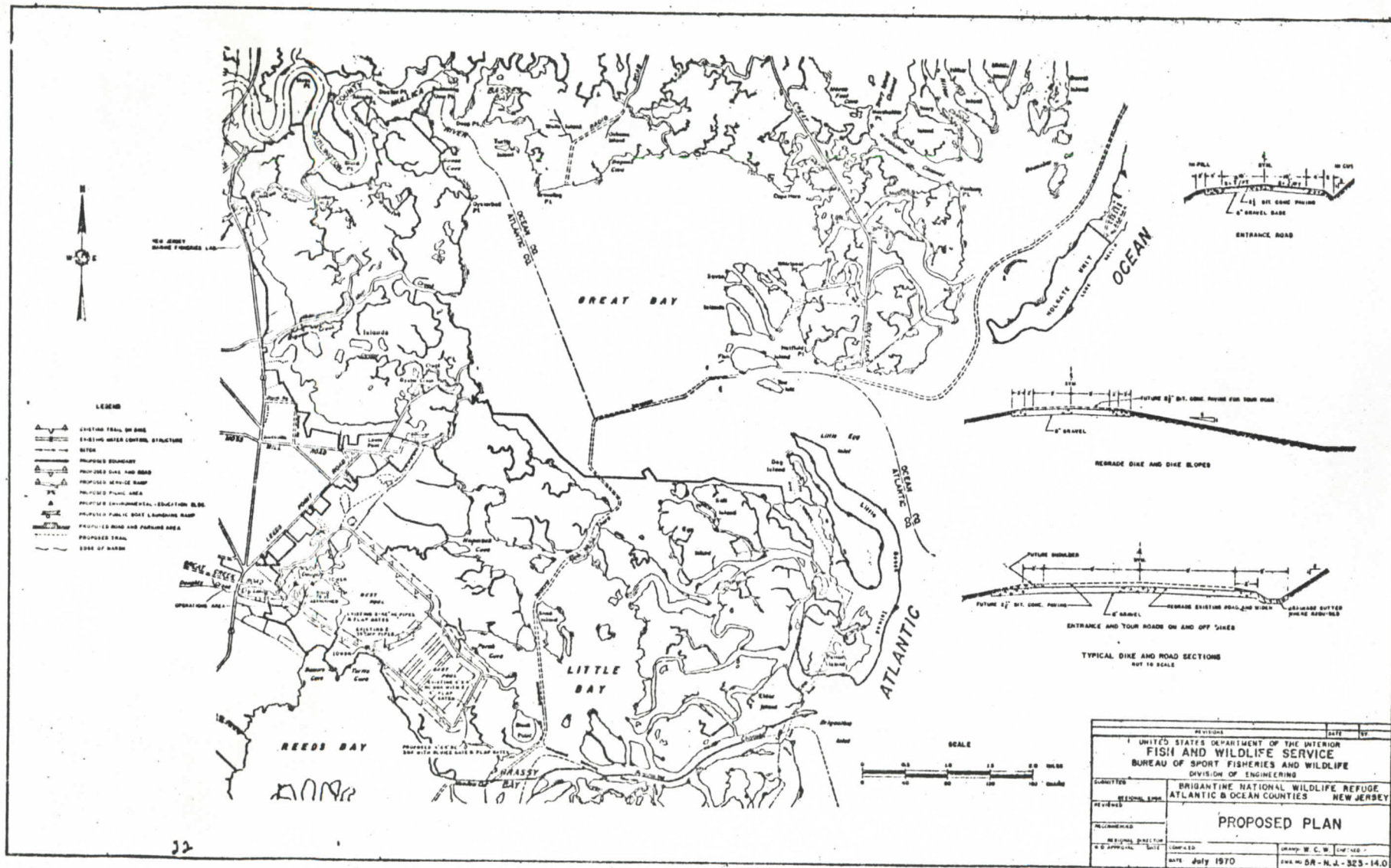
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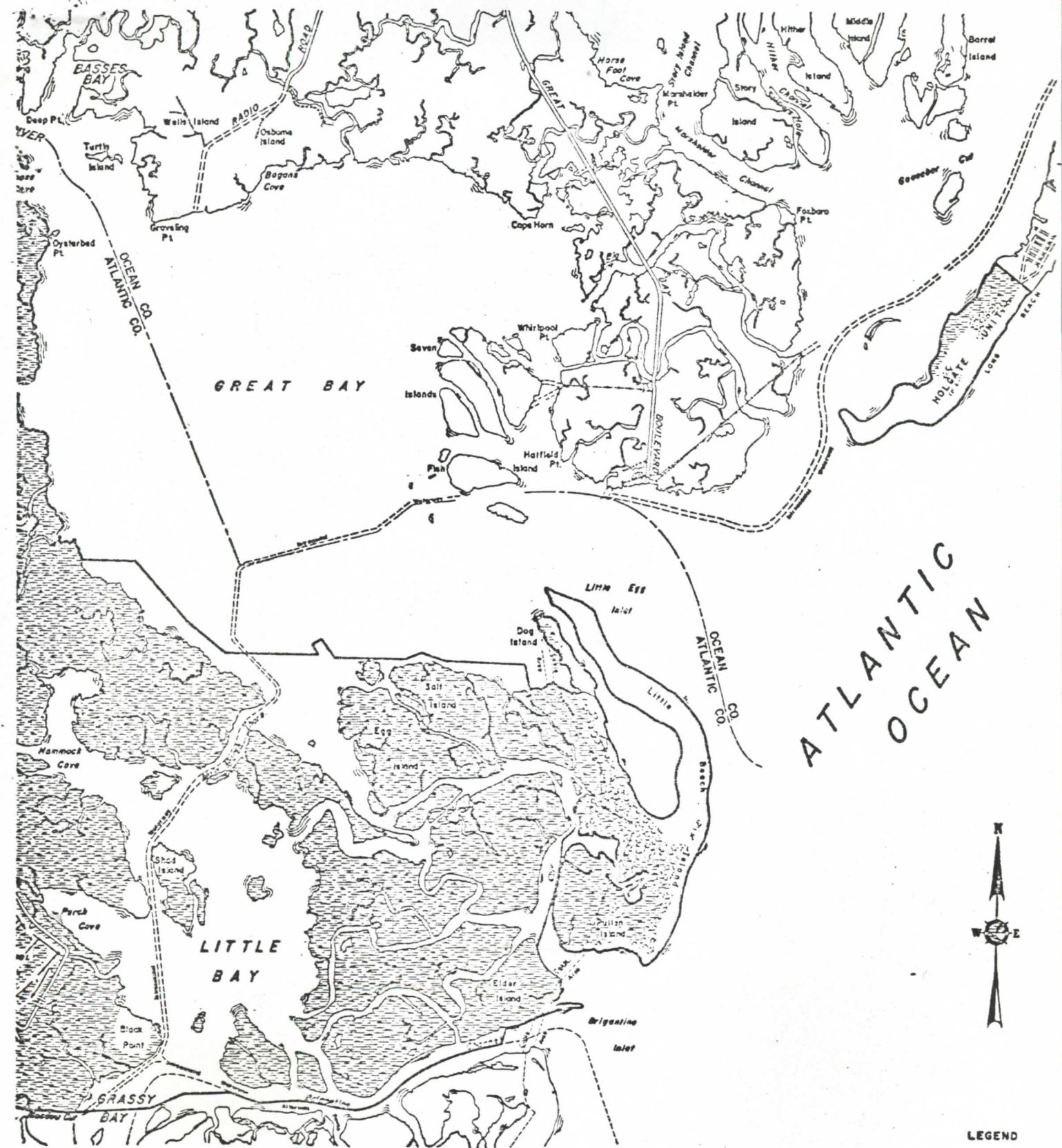


BRIGANTINE NATIONAL WILDLIFE REFUGE
ATLANTIC COUNTY, NEW JERSEY

PRELIMINARY
SUBJECT TO CHANGE

24
11





VEGETATIVE TYPE MAP

Little Beach Island Study Area

FINAL ENVIRONMENTAL IMPACT STATEMENT

PROPOSED BRIGANTINE WILDERNESS AREA, NEW JERSEY

1. DESCRIPTION OF THE PROPOSED ACTION

The Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, proposes that 4,528 acres of the 19,388-acre Brigantine National Wildlife Refuge, New Jersey, be designated as wilderness within the National Wilderness Preservation System. A complete description and discussion of this proposal is contained in the Brigantine Wilderness proposal brochure.

The Wilderness Act of 1964 (P.L. 88-577; Stat. 890-96) directed the study of every roadless area of 5,000 acres or more and every roadless island within the National Wildlife Refuge System to determine the suitability or nonsuitability of each such area for inclusion in the National Wilderness Preservation System. In fulfilling this responsibility, a full and comprehensive study has been made of the proposed area. This environmental impact statement examines the proposed action in accordance with the National Environmental Policy Act of 1969.

The Brigantine National Wildlife Refuge is on the eastern seaboard in Atlantic and Ocean Counties, New Jersey, approximately 60 miles from Philadelphia and 11 miles from Atlantic City. The headquarters is less than one mile east of the village of Oceanville on U.S. 9.

Numerous excellent highway routes converge nearby. The Garden State Parkway passes only 6 miles away. Railway and air transportation serve Atlantic City, while bus routes pass through Oceanville. The Intracoastal Waterway bisects the refuge and nautical travelers find boat landings in close proximity.

The refuge was established in 1939, through acquisition of 1,768 acres of land authorized by the Migratory Bird Conservation Act. Additional acreage has been acquired over succeeding years, and at present, the refuge contains 19,399 acres, with another 330 acres under option. The refuge has become increasingly valuable as pollution and encroachment continue to destroy natural tidal marshes along the eastern coast. Four formal objectives have been set up for the management and development of the refuge. The objectives, listed in order of priority, are to:

1. Preserve and manage the wetlands environment for waterfowl, shore birds, and other wildlife as production, migration, and wintering habitat.
2. Perpetuate existing habitat that is found to benefit rare or endangered species.
3. Provide environmental education and wildlife-oriented recreation programs and facilities to the public.
4. Encourage scientific study and research by qualified organizations and individuals.

The refuge is presently administered by the Bureau of Sport Fisheries and Wildlife, with management practices designed to preserve a traditional wintering and migration area for the

brant and the black duck, and to provide habitat that benefits many forms of wildlife and protects this estuarine area from industrial and residential encroachment and pollution.

II. DESCRIPTION OF THE ENVIRONMENT

The Brigantine Refuge is within easy driving distance of millions of residents of the New York-Washington megalopolis and only 10 miles to the Atlantic City resort area which attracts 6.5 million visitors annually. By 1975, at least 200,000 people can be expected to visit the refuge each year. The refuge receives heavy use by the general public, members of organized conservation groups, bird watchers, naturalists, hunters, and fishermen. In calendar year 1970, there were 164,937 recorded visits, of which the greatest number (55,000) were participating in the wildlife observation tour route. Of secondary volume were saltwater fishermen (50,000). The area to the north, south, and west of the refuge has been highly urbanized and developed. The region within a 50-mile radius of the refuge ranges from large industrial cities to small towns and villages. Tourism, manufacturing, and small farms are the mainstays of the economy. The terrain is rolling hill-type, and supports many varieties of trees and vegetation. As is common to most areas along the eastern seaboard, the high density populations have caused land values to increase greatly. The refuge is one of the few remaining natural areas in an urbanized district which is available for the public to enjoy a

quality wilderness experience. (See attached wilderness vicinity map.)

The Intracoastal Waterway, which transects the refuge, is a principal route of shipping by non-seagoing vessels on this part of the eastern seaboard. Pleasure boaters, fishermen, and general sight-seers use the waterway to an extremely heavy extent. No specific figures are available for this use, but it is conservatively estimated that 125,000 visitors pass through these waters annually. Use and maintenance of this waterway would continue with no effect from the results of this proposal.

The Great Bay area, of which the proposed wilderness area is a part, is a most important commercial clamming and oystering resource. A multi-million dollar industry is supported by these waters. In the tidal waters and marshes immediately adjacent to the refuge, it has been estimated that \$250,000 of clams are harvested yearly. These relatively unpolluted waters are a prime breeding ground for clams, which are transplanted from condemned waters to Great Bay for later harvesting by commercial fishermen. The importance of this activity can be determined by the fact that the market value for clams was \$24 per thousand, with market prices expected to increase. The local economy, particularly seafood restaurants and markets, is very dependent upon this resource. Oystering, crabbing, and fishing on the

Great Bay, although of lesser commercial value, does occur. Pleasure boating is extensive with fishermen enjoying many hours of angling for bluefish, striped bass, fluke, summer flounder, weakfish, kingfish, and perch. Revenues generated by such uses are high, but there is no known source for specific figures.

Planned for future development on the refuge to accommodate the anticipated 200,000 visitors is an environmental education building which will be designed to harmonize with and complement the surrounding landscape. Tentative plans, not approved, would provide about 6,000 square feet, allowing a capacity of 100 people one-time use. This building will contain wildlife displays, panoramas, exhibits, lectures, movies, and slide shows. A network of interpretive wildlife trails, 5-10 miles in length, emanating from this facility will take the visitor through the various habitats of the refuge. The present office will need eventual replacement. A storage building and addition to the present shop will be constructed to meet operational requirements. The outdoor tour route, approximately eight miles in length, will be widened and graveled where necessary to insure a safe, smooth road surface. Fencing, posting, signs, and an entrance road to the environmental education building will complete development of the refuge. (See proposed plan appended.) Present physical structures on the refuge consist of a combination office/laboratory/storage building, a visitor contact

station, several garage/storage structures, two wildlife observation towers, and enclosed boat ramp in poor condition, and miscellaneous smaller buildings.

The 17 islands proposed for wilderness designation comprises 4,250 acres of the 19,388-acre refuge. The entire area, completely surrounded by water, forms an ecological complex representative of the rapidly disappearing estuarine-barrier beach islands and marshes along the Atlantic Coast. Difficulty of access has saved the island complex from the blight of man's development and despoilation. The physical location, geography, and environment of the area has preserved primitive recreational resource values.

The remaining 15,123 acres of the refuge will be adequate for wildlife management purposes.

Five islands constitute the major portion of the area proposed for wilderness designation. These are Little Beach Island (1,114 acres), Egg Island (381 acres), Salt Island (402 acres), Pullen Island (considered a part of Little Beach Island), and Elder Island (257 acres). Twelve lesser unnamed islands (2,046 acres) complete the proposal. Little Beach Island (which includes Pullen Island) is one of nine surviving barrier beaches along the New Jersey coast; however, it is the only roadless or undeveloped barrier beach. It protects an estuarine environment of unspoiled marsh islands, tidal streams, and potholes from coastal

storms. The crescent-shaped island is approximately one-half mile wide and a little over three miles long, comprising over 1,100 acres. The island consists of wave and wind-sorted fine yellow sand with shallow lenses of dark silt and protected coves. The island is gently rolling upland with low dunes, beaches, and sand bars exposed to half-to-low tides forming an unspoiled estuarine habitat. The only beach within the proposed wilderness area is located on this island. It consists of 6.25 miles of clean, virgin sand used to a small extent by sunbathers and surf fishermen. Approximately 232 acres comprise the beach area, which rolls into the sand dunes of the island, with little or no vegetative cover.

The vegetative cover of Little Beach Island is typical barrier beach species grading from barren foredunes at the high tide line, starting with dune grass and grading to false heather, wild rose, poison ivy, bayberry, speckled alder, wild cherry, and aspen in the back dunes. A few low areas contain freshwater pockets with freshwater type species of grasses, sedges, and flowering plants. The brush on Little Beach Island contains habitat for a rookery of black-crowned night herons and protection and food for warblers during their spectacular spring migration.

Inholdings totaling about 11 acres of private camps and an old Coastguard Station are proposed to initially be excluded from wilderness but are to be added at a later date when the lands are acquired and buildings removed. A detailed account of action needed is covered under Section IV.

A number of trespass trails from beach buggy-type vehicles mark some 300 yards of the shoreline in the vicinity of the camp area, but these will soon disappear after all vehicles are removed from the island. Beach use is limited to no more than three vehicles at present; private landholders on Little Beach Island have trespassed to a limited extent.

Egg Island, Elder Island, Salt Island, and the unnamed islands are all emergent tidal marsh islands stretching north and south the length of Little Beach Island and westward nearly to the Intra-coastal Waterway. These marsh islands are firm, deep, dark-colored silt, clay, and muck.

The climate of the area is oceanic, subject to "nor'easters" and, infrequently, the fringes of hurricanes. Average annual precipitation is 42 inches, including 14 inches melt from snowfall. Average annual temperature is 54°F, with a January average of 36°F and a July-August average of 70-74°F.

The marsh islands are all dominant salt marsh grasses with lesser densities of other grasses and sedges. No woody vegetation exists on the marsh islands, which average two feet mean sea level. The aquatic vegetation in these waters surrounding and within the proposed area consists principally of marine algae known as bay cabbage or sea lettuce. All of the vegetation within the area is considered to be in the climax stage. (See vegetative map appended.)

The entire area is a nesting, migration, and wintering area for waterfowl, marsh birds, and shorebirds. It is a major wintering ground for brant and is one of the important wintering and migration areas for black ducks. The endangered osprey, whose numbers have been decimated in recent years, nest on abandoned telephone poles in the solitude of the undisturbed habitat of Little Beach and Elder Islands. The nesting success of this rare and beautiful fish hawk is materially benefited by maintaining the solitude and isolation of their nesting areas.

Egg Island received its name from the concentrations of nesting terns and gulls which cover it. It is important as a nesting site for gulls for a radius of many miles. It offers outstanding opportunity for both extended serious study and casual observations alike. A study of the laughing gull is presently being conducted by Rutgers University.

No grazing or other farming occurs within the proposed wilderness study area and the unit provides no monetary return to the Federal Government. Under the Refuge Revenue Sharing Act, Atlantic County received \$14,044.27 in Fiscal Year 1971. This return will not be affected by the proposal.

The U.S. Geological Survey has no explicit data on mineral resources on the refuge. They did provide the following general information: "There are no oil deposits known or suspected at the refuge. According to the Wilderness Office of our Mineral Resources group, the only deposits that might be of value in the refuge would be sand that could be used in construction processes."

Wintering populations of waterfowl surpass 150,000 birds. Each year, about 600 goslings are produced by the refuge's Canada goose flock. These birds provide refuge visitors with many hours of viewing pleasure and supplement the fall migrant geese, increasing the local hunting opportunities. Most of the 4,000 ducks produced annually on the refuge occur in approximately 1,400 acres of freshwater habitat. Predominate nesting species are the black duck, gadwall, blue-winged teal, and mallard. Up to 10 percent of the 350,000 black ducks of the Atlantic Flyway winter in the estuarine environment in and around the refuge. Grebes, herons, egrets, bitterns, rails, sandpipers, gulls,

terns, skimmers, and plovers are some of the marsh, water, and shorebirds common to the area, especially during the spring and fall migrations. Ten species of hawks, eight species of owls, and the bald and golden eagles have also been observed on the refuge since 1939. The varied upland habitat of the refuge supports over 126 species of songbirds throughout the year, including 20 species of warblers. The glossy ibis, chickadee, American oystercatcher, hooded warbler, downy woodpecker, and the common wren are indigenous to the area. The upland habitat of the refuge supports a variety of small animals and birds, including bobwhite quail, ruffed grouse, cottontail rabbits, ring-necked pheasants, and woodcock.

Other animals of the refuge include the otter, mink, weasel, raccoon, skunk, red and gray fox, and opossum. White perch, fluke, flounder, and blue crabs are plentiful in the tidal guts, streams, and bays throughout the area. Excellent surf fishing is found along the eastern beach of Little Beach Island, and provided about 1,000 use days of wildlife-oriented recreation in 1970. These species are caught by sport fishermen and also support a small commercial fishery. The diamond-back terrapin, once commercially caught to near extinction, abounds in the larger tidal streams and little bays. Clamming is a very enjoyable and popular sport participated in by the local residents.

There are no roads on the islands designated for wilderness. Unimproved foot trails exist and are used by nature enthusiasts conducting wildlife studies on the area. One boat pier, constructed many years ago and now unmaintained, receives very light public use.

At present, approximately 2.37 miles of U.S. Coast Guard-owned telephone line remains above ground on Little Beach Island. Work was programmed in 1972 to bury an additional 1.06 miles of line. At the end of 1972, approximately 1.14 miles will be underground and 1.31 miles suspended on poles. All work is done by hand tools. The Congress has previously recognized the presence of underground installations as not being in conflict with the Wilderness concept (Bitter Lake NWR Wilderness Area as established by P.L. 91-504). Within a few years the line will be either underground, or abandoned in favor of a more efficient means of communication.

Hunting of migratory waterfowl is allowed on the refuge and in the proposed wilderness area in accordance with State and Federal game laws, and accounted for 4,890 visits in 1970, totaling 19,560 activity hours.

The Historic Sites Section of the New Jersey Department of Environmental Protection was contacted regarding possible

historic and archeological sites. Their comments are included on page 45. The old Coast Guard Station on Little Beach Island is on the State Register of Historic Places. It was put on the register after the site was proposed for wilderness upon removal of the building.

III. ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

There would be no significant immediate or long-range change in the condition of the environment as a result of this proposal. The proposed wilderness area was established to preserve the wetland environment for waterfowl, shorebirds, and other wildlife as production, migration, wintering habitat, and wildlife-oriented recreation. No development has been necessary in the past nor is any planned.

The beneficial effects of such designation would contribute significantly to achieving the broad commitments within the potential of the refuge's natural, economic, and human resources. Research programs underway can be continued and new ones conducted that are compatible with the Wilderness Act.

Natural succession will proceed undisturbed by any activities of man. There will be no change in public use. Boats, with or without motors, would still be permitted to travel the non-wilderness waterways and beach on the beaches. Navigable waterways (thorofares) are excluded from the proposal due to

lack of Federal ownership. Preservation of the area as a fishery resource; the continuance of adjacent waters to provide a breeding ground for the clamming, oystering, and crabbing commercial venture will be assured. The positive effect of this action on the local economy cannot be overrated. Fishermen will find no change in the assurance of permanent protection for the solitude and pristine beauty of the proposed area.

It would be impossible to state that the beneficial effects mentioned above would not be attainable by retention of refuge status, and rejection of this proposal. Refuge status does, however, permit man-made developments; impoundments, dams, and buildings; recreational areas; boat docking facilities, etc. It is highly conceivable that in future years, pressures would be exerted by the burgeoning population to use the area for such purposes. It is not an uncommon occurrence on other refuges. Should such occur, it would void the value of the unique wilderness area, encourage air and water pollution, necessitate the need for waste treatment facilities, have a dire effect on the local economy through possible destruction of shellfish breeding grounds, and be detrimental to the aesthetic values of the island. These developments and uses, of course, would not be permitted by the Secretary of the Interior if deemed to be

incompatible with wildlife, but are discussed here as a possibility which must be considered.

Wilderness designation will provide legislative assurance that natural ecological processes will continue to prevail and, therefore, that the area's wildlife, educational, and research values will be preserved for the enjoyment of all mankind in perpetuity.

Undesirable wildlife responses to the unspoiled condition of wilderness, such as overpopulation or disease, are not expected to present problems. Should events of this nature occur, there is latitude in wilderness management to cope with any foreseeable problem, and prolonged environmental damage would not be sustained. The area will continue to serve as an area of solitude of benefit to all forms of wildlife and to human visitors as well. To place the beneficial aspects of this proposed action in its proper perspective, it should be remembered that this emergent complex of tidal marshes, beaches, and waters form an unspoiled estuarine habitat which is rapidly disappearing along the middle and north Atlantic Coast. There are no other locations for miles, north or south, due to industrial and residential developments, water-connected recreational activities, and pollution by effluents or noise, that could qualify as wilderness under present legislation.

There are no known significant adverse environmental effects anticipated as a result of this action. Designation of the area as wilderness would not be affected by outside developments. A minimal adverse impact might be a slight initial increase in the number of visitors to the area due to curiosity to see a new wilderness, but would soon drop off to its current low visitation. The Intracoastal Waterway would not be affected by wilderness designation, nor would the designation be affected by the Waterway.

IV. MITIGATING MEASURES INCLUDED IN THE PROPOSED ACTION

Acquisition of the inholding property on Little Beach Island, totaling about 11 acres, is actively continuing. (See Exhibit A.)

It has been recommended that two tracts of land, totaling 10 acres and 1 acre, be excluded from immediate wilderness status, but that provisions be made in the bill of authorization to automatically transfer these two exclusions into wilderness status as soon as the following conditions are met:

- (1) Acquisition of the land associated with the buildings, totaling about 11 acres, is completed in fee; and
- (2) That any and all use permits, rights, and/or commitments have expired or have been relinquished by the permittee or legally-concerned parties, all buildings removed and sites restored to natural condition.

LITTLE BEACH ISLAND

<u>Building Location</u>	<u>Number of Buildings</u>	<u>Building Claimant</u>	<u>Land Claimant</u>	<u>Tract No.</u>
A	1 + dock	Thomas Potter Jr.	Same	127
C	1	Allen Albertson	U.S.	65a
D	1	Harry Zeh	U.S.	65a
E	1	James Devine	U.S.	65a
F	1	Little Inlet Realty Co.	Same	75
G	1	Howard F. Haneman	Same	136
I	1	Raymond Ludekke	John Mehler, et al.	76
J	3 (camp + 2 others)	John Mehler	Same	76
K	1	William Hart	Henry M. Town	125
L	1	Henry P. Megargee, Jr.	Same	347b
N	1	Jack Donahue	H.P. Megargee, Jr.	347b
O, P	3 (camp + 2 others)	Somers G. Headley	U.S.	65a
Q	1	Fred E. Stadley	U.S.	65a
R	1	Jarmon	U.S.	65a
S	1	Morris Doherty	U.S.	65a
Old Coast Guard Sta.	3	U.S.	Same	68
Total	22 plus several docks			

LITTLE BEACH ISLAND BUILDINGS

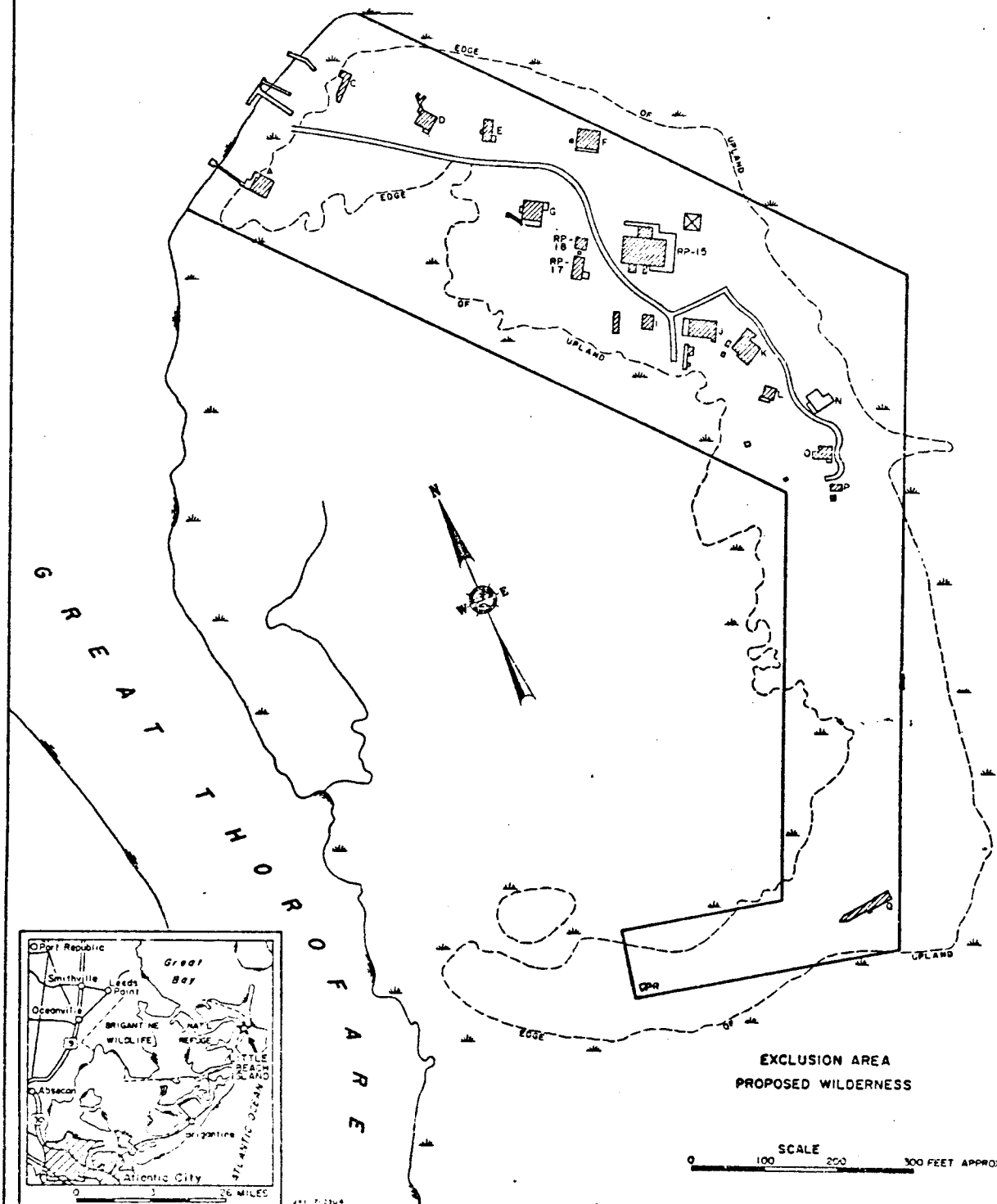
Summary

Total Number of Buildings	22
Total Number of Private Camps	15 (not including 4 other sheds)
Total Number of U. S. Buildings	3 (C.G. building & 2 service buildings)

- Category I - Government-Owned Buildings on Government Land
- Total - 3 buildings, includes old Coast Guard residences and
 2 service buildings, one of which is proposed for salvage.
- Category II - Privately Owned Buildings on Private Land
- Total - 10 buildings (8 camps), on 6 ownerships. Includes
 3 camps on land of others.
- Category III - Privately Owned Buildings on Government Land
- Total - 9 buildings (7 camps + 2 other buildings). Since all
 title problems have not been settled on the condemned
 lands, there may be private claims to land by some of
 these cabin owners.

The old Coast Guard Station was designated as a State Register Site subsequent to the wilderness proposal as sent to Congress. The registration will need to be rescinded or the site permitted to exist within the proposal. Comments are included on page 45.

BRIGANTINE NATIONAL WILDLIFE REFUGE



V. ANY ADVERSE EFFECT WHICH CANNOT BE AVOIDED SHOULD THE PROPOSAL BE IMPLEMENTED

Since wilderness designation is designed to protect and preserve natural environmental qualities, no adverse environmental effects are anticipated. Since the area is presently a "de facto" wilderness in that wildlife management is not practiced, nor necessary for the benefit of the wild fowl, wilderness designation would have an overall neutral effect.

Until all inholdings on Little Beach Island are acquired by the Bureau, there will continue to be an adverse effect on wilderness status through use of the land and buildings by owners. The adverse effect is considered minor in this overall proposal, but should and will be resolved at an early date.

VI. RELATIONSHIPS BETWEEN SHORT-TERM USES AND LONG-TERM PRODUCTIVITY

The relationship between the local short-term use of the environment and the maintenance and enhancement of long-term productivity should not change. The area will still be open to hiking, photography, wildlife observation, hunting, fishing, nature study, and research. The habitat and climate will not change beyond that of natural succession; therefore, the wildlife species will remain the same. Wilderness designation will mean that the area shall be protected from development, pollution, encroachment, and be preserved for public use as other areas disappear from the Atlantic seaboard.

VII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

At any time the Congress might determine that the National interest would be better served by declassification of all or a portion of the area, it could be done. There would be no irreversible or irretrievable commitment of resources.

VIII. ALTERNATIVES TO THE PROPOSED ACTION

Alternatives considered are: (A) No action, and (B) Designate a wilderness area other than the area in the proposal.

A. NO ACTION

The nearest wilderness area within the National Wildlife Refuge System is in the Great Swamp National Wildlife Refuge, New Jersey, located some 90 air miles to the north. It is considered that this Bureau would be evading its responsibilities under the Wilderness Act should this alternative be accepted. Several million resource preservation-oriented citizens, especially those within reasonable driving distance to the area, would be denied the satisfaction of using or appreciating a nearby wilderness area. The added protection against environmental degradation afforded by wilderness status would be lost. While refuge establishment under general authority of the Migratory Bird Conservation Act would result in some degree of protection of the pristine character of the land, specific legislation by Congress for a designated wilderness area would provide additional insurance against developments and other environmentally degrading factors.

B. MODIFICATION OF BOUNDARIES

To enlarge the area in total would entail the inclusion of lands having man-made developments necessary to the refuge to meet its wildlife objective. There are additional marsh lands which might appear to qualify for wilderness nomination but to do so would impact on management options to manipulate the habitat for mosquito control and exclude the use of motorized equipment to maintain existing mosquito control ditching.

The proposal could be reduced in size. The impact of this course of action would essentially be that of retaining land, or parcels of land, under present refuge management, subject to uses now permissible in meeting refuge objectives. As needs dictate, excluded lands could be developed for more intensive management and increased production of waterfowl. Commensurate with the size of the reduction, associated impacts would be similar to those examined under Alternative A.

IX. CONSULTATION AND COORDINATION WITH OTHERS

A. Consultation and Coordination in the Development of the Proposal and in the Preparation of the Draft Environmental Statement

All known owners of inholdings on Little Beach Island have been contacted by Bureau representatives on one or more occasions with the objective of finding a basis for acquisition negotiation.

The Bureau is actively engaged in the task of acquiring all of the inholdings at the earliest possible time. Friendly condemnation will be necessary to clear titles in many cases. It is not

yet known whether any adverse condemnation will be necessary or what reservations might be allowed as a result of negotiation or condemnation.

Informal coordination has been conducted with local civic groups and private conservation agencies of the area since the early stages of the Brigantine wilderness area proposal. The comments from the U.S. Geological Survey in regard to mineral resources on the refuge is included on page 11. The Historic Sites Section of the New Jersey Department of Environmental Protection was contacted. Comments are included on page 45. Copies of a preliminary draft statement were made available at the public hearing held on August 11, 1971, at which time a brochure describing the complete proposal was distributed and comments heard. Represented at the hearing were the following groups:

- Atlantic County Citizens Council for the Environment
- Wilderness Society
- American Association of University Women
- Institute of Animal Behavior, Rutgers University
- New Jersey Audubon Society
- Monmouth County Conservation Council
- Sierra Club
- Little Beach Property Owners
- League of Women Voters
- Joint Council of Taxpayers of Southern Ocean County
- New Jersey State Federation of Sportsmen's Clubs
- Montclair Bird Club, New Jersey
- Ocean County Mosquito Commission
- National Parks and Conservation Commission
- Federation of Conservationists of United Societies
- Atlantic City Press
- League of Conservation Legislation
- Atlantic County Federation of Sportsmen's Clubs
- Ocean County Soil Conservation Commission

There were no opposing comments made; 24 oral comments supported the proposal.

B. Coordination in the Review of the Draft Environmental Statement

The draft statement was sent to the following agencies for official review, and comments are appended. Substantive comments were discussed in this final text.

Department of Transportation
Department of Agriculture
Department of Commerce
Environmental Protection Agency
Department of Defense
Department of the Interior
 Bureau of Outdoor Recreation
 National Park Service
 U.S. Geological Survey
New Jersey State Clearing House

Information:

Commissioner
Department of Environmental Protection
P. O. Box 1420
Trenton, New Jersey 08625

Comments on the draft environmental impact statement were received from the Department of Agriculture, the Department of Transportation, the Environmental Protection Agency, the Department of Defense, the Department of Commerce, the National Park Service, the U.S. Geological Survey, the Bureau of Outdoor Recreation, and the New Jersey Department of Environmental Protection. Where appropriate, the comments have been incorporated in this statement. Copies of all comments are attached.

SUMMARY OF CHANGES
IN FINAL TEXT

<u>Page(s)</u>	<u>Item</u>	<u>Comment By</u>
8	Private inholdings	USDA
13	Telephone lines	USDA
4	Intracoastal Waterway	DOT
8	Sanitary services for inholdings	EPA
5, 6, 10, 12, 13, 17	Biological and physical corrections	NJ - DEP



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

MAR 21 1972

Dr. R. E. Johnson, Chief
Office of Environmental Quality
Bureau of Sport Fisheries & Wildlife
U. S. Department of the Interior
Washington, D. C. 20240

Dear Dr. Johnson:

We appreciate the opportunity afforded by your letter of February 8 to comment upon your draft environmental statement for the proposed Brigantine Wilderness in New Jersey. We have reviewed the draft environmental statement and the Brigantine Wilderness Proposal brochure to which the draft statement refers. Our comments follow.

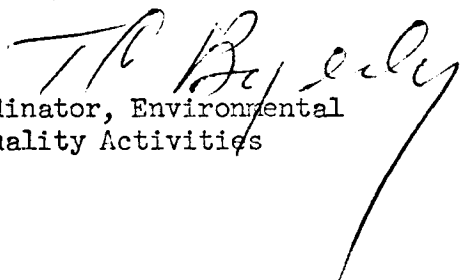
The draft environmental statement recommends that two tracts of land containing a total of 11 acres be excluded from immediate wilderness status, but that provisions be made in the proposed bill to automatically give them wilderness status when certain conditions are met relating to government acquisition, and when all private rights are extinguished. The draft statement does not state what will be done with the private and government buildings which occupy these lands. We do not concur in providing for automatic wilderness status because we find no provision for removal of all buildings which would be necessary to comply with the Wilderness Act's (P.L. 88-577; Stat. 890-96) definition of wilderness as being "...an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation..."

We also note that the maps appended to the draft statement show a telephone line traversing Little Beach, Pullen, and Elder Islands. The line is not mentioned in the draft statement unless a reference to ospreys nesting on abandoned telephone poles refers to the telephone lines depicted on the maps. If, in fact, a telephone line exists, we recommend that the islands traversed be excluded from the wilderness proposal because they do not meet the criteria in the Wilderness Act. If an abandoned telephone line exists, we recommend that the nonconforming structures be removed, or, if left in place for management of ospreys, that the area be excluded from the wilderness proposal for the aforementioned reason.

Dr. R. E. Johnson
Page 2

In reviewing the "Brigantine Wilderness Proposal," we note that the map does not show a telephone line, but one of the photographic illustrations may show some telephone poles. We believe the subject of nonconforming uses such as telephone lines and beach residences should be treated explicitly in both the wilderness study and the draft environmental statement.

Sincerely,


Coordinator, Environmental
Quality Activities

LETTER OF MARCH 21, 1972, FROM THE DEPARTMENT OF AGRICULTURE

This letter takes issue with temporarily excluding 11 acres of private inholdings to be automatically included in wilderness when acquired. (17)
This situation is explained and justified in the final text on page 8.

The letter also questions the existence of telephone lines shown on the map but not mentioned in the text. The status and disposition of the lines are attended to on page 13 of the final report.

UNITED STATES GOVERNMENT

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

Memorandum

DATE: APR 10 1972

SUBJECT: Draft Environmental Impact Statement for the
Proposed Brigantine Wilderness Area, New Jersey

In reply
refer to: TEU-14

FROM : Assistant Secretary for
Environment and Urban Systems

TO : Mr. R. E. Johnson, Chief
Office of Environmental Quality
Department of the Interior

We appreciate the opportunity to review the draft environmental statement transmitted with your letter of February 8, 1972.

We note that the Intracoastal Waterway transects the refuge (p. 4). It is suggested that the statement include discussion of any effects of the proposed Brigantine Wilderness Area on the operation of the Intracoastal Waterway, and conversely.


Herbert F. DeSimone
Assistant Secretary

MEMORANDUM OF APRIL 10, 1972, FROM THE DEPARTMENT OF TRANSPORTATION

This memo suggests that the text include discussions of any effects of the proposed wilderness area on the operation of the Intracoastal Waterway. This use would not be effected by this proposal as stated on page 4 of the final text.



THE ASSISTANT SECRETARY OF COMMERCE
Washington, D.C. 20230

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gk

March 24, 1972

Mr. R. E. Johnson, Chief
Office of Environmental Quality
Bureau of Sport Fisheries and Wildlife
U. S. Department of the Interior
Washington, D. C. 20240

Dear Mr. Johnson:

The draft environmental statement for the "Proposed Brigantine Wilderness Area, New Jersey", DES 72-20, which accompanied your letter of February 8, 1972, has been received by the Department of Commerce for review and comment.

The Department of Commerce has reviewed the draft environmental statement and has no comment.

We are pleased to have been offered the opportunity to comment on the statement.

Sincerely,

Sidney R. Galler
Deputy Assistant Secretary
for Environmental Affairs

ENVIRONMENTAL PROTECTION AGENCY

Region II Office
26 Federal Plaza
New York, New York 10007

March 16, 1972

Mr. R. E. Johnson
Chief, Office of Environmental Quality
Department of the Interior
Fish and Wildlife Service
Bureau of Sport Fisheries and Wildlife
Washington, D.C. 20240

Dear Mr. Johnson:

We have reviewed the draft Environmental Impact Statement for the Brigantine National Wildlife Refuge and have the following comments.

1. The draft EIS makes no mention of:
 - a. what provisions will be made for water supply to the facilities within the preserve?
 - b. what provisions, if any, will be made for wastewater disposal?
2. Is it possible that future development beyond the confines of the preserve could have significant effects on the preserve itself? For example, if a waste source is presented into a stream which is tributary to the preserve, couldn't this cause some degradation of water quality in the preserve? Will there be any controls instituted and enforced outside the boundaries of the preserve to prevent such an occurrence?

We support the proposed Department of Interior's action and feel that the answers to the above questions will help to assure the preservation of the wilderness.

Thank you for the opportunity to comment.

Sincerely yours,



Gerald M. Hansler, P.E.
Regional Administrator

LETTER OF MARCH 16, 1972, FROM THE ENVIRONMENTAL PROTECTION AGENCY

This letter generally agrees with the proposal but asks for provisions for water supply and wastewater disposal associated with the facilities within the preserve. Presently, as stated on page 8, all facilities⁽¹⁷⁾ exist within an area excluded from the proposal. All facilities will be removed before the exclusion reverts to wilderness; therefore, there is no need to be concerned with water supply and wastewater disposal.

The letter also expresses concern with the possibility of future development beyond the confines of the proposal affecting water quality within the proposed wilderness. While this is a possibility of affecting the total environment, it was not considered to be a problem affecting wilderness designation.



United States Department of the Interior

GEOLOGICAL SURVEY
WASHINGTON, D.C. 20242

12

OFFICE OF THE DIRECTOR

March 14, 1972

Memorandum

To: Chief, Office of Environmental Quality
Bureau of Sport Fisheries and Wildlife
Through: Assistant Secretary--Mineral Resources

Gray 3-15-72

From: Director, Geological Survey

Subject: Review of Draft Environmental Statement for the Proposed
Brigantine Wilderness Area in New Jersey

We have reviewed the subject draft environmental statement as requested in your memorandum of February 8 and have no comment on the draft which will accompany proposed legislation to establish the New Jersey wilderness area.

J. H. Walley
Acting Director



DEPARTMENT OF THE ARMY
NORTH ATLANTIC DIVISION, CORPS OF ENGINEERS
90 CHURCH STREET
NEW YORK, N. Y. 10007

IN REPLY REFER TO

NADPL-R

20 March 1972

Mr. R. E. Johnson
Chief, Office of Environmental Quality
Bureau of Sport Fisheries and Wildlife
U. S. Department of the Interior
Washington, D. C.

Dear Mr. Johnson:

The North Atlantic Division of the Corps of Engineers has reviewed the "Draft Environmental Statement: Proposed Brigantine Wilderness Area, New Jersey." Our comments are submitted in accordance with provisions of the National Environmental Policy Act of 1969 (Public Law 91-190).

This Draft Statement is well written and addresses environmental considerations very well. Specific comments are as follows:

a. From an environmental standpoint and taking into consideration long term benefit to human welfare of surrounding areas, designation of the region as a "Wilderness Area" is the most desirable action for the region under consideration. The rapid rate of human encroachment on tidal wetlands on the Eastern Seaboard and the severely limited acreage of extant viable estuarine habitat necessitates action for the protection of this extremely important non-renewable resource. The Brigantine Refuge is a non-renewable resource and human industrial and domestic encroachment would be distinctly deleterious and of a consumptive type which would serve to decrease the environmental quality of the area.

b. The present scarcity of coastal wetland habitat on the east coast makes the economic value of the area virtually incalculable in terms of long term benefit to present and future generations.

c. The objectives listed on page 2 are extremely valuable. The concept of providing "environmental education and providing wildlife oriented recreation programs and facilities to the public" is a very pertinent one. If the value of this type of wetland habitat to human

NADPL-R


Mr. R. E. Johnson

welfare is even to be appreciated by the American public, programs of this type are a necessity.

d. The change from "Refuge" to "Wilderness" status can only help maintain the integrity of a high quality, non-renewable environmental resource by legislatively limiting potential human encroachment which might result from increased population pressures from surrounding areas.

Thank you for the opportunity to comment on your Draft Environmental Statement for this action. Perhaps these comments will be of use to you in preparation of your final environmental statement. In accordance with a request from the Council on Environmental Quality, we have furnished them with copies of this correspondence.

Sincerely yours,


JOHN F. WROCKLAGE
Chief, Planning Division



United States Department of the Interior

BUREAU OF OUTDOOR RECREATION
WASHINGTON, D.C. 20240

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IN REPLY REFER TO:

D7223 Brigantine

APR 25 1972

Memorandum

To: Chief, Office of Environmental Quality
Bureau of Sport Fisheries and Wildlife

From: Assistant Director for Federal Programs

Subject: Review of Draft Environmental Statement for the
Proposed Brigantine Wilderness Area in New Jersey

We have reviewed the subject draft statement as requested in your memorandum of February 8, 1972, and offer the following for your consideration.

Based on the information provided to us, we conclude that the statement is adequate and have no substantive comments to offer. Thank you for the opportunity to comment on the environmental statement.

Robert L. Eastman



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

DIVISION OF
FISH, GAME AND SHELL FISHERIES
RUSSELL A. COOKINGHAM
DIRECTOR

PLEASE REPLY TO
P. O. BOX 1809
TRENTON, N. J. 08625

November 13, 1972

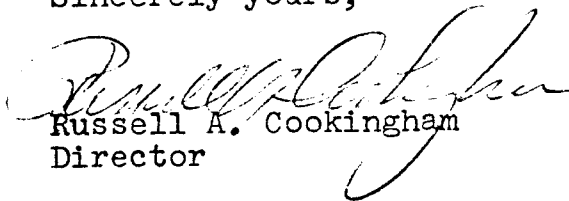
Mr. R. E. Johnson, Chief
Office of Environmental Quality
Bureau of Sport Fisheries & Wildlife
Department of the Interior
Washington, D. C. 20240

Dear Mr. Johnson:

In reference to the draft environmental statement for
the Brigantine National Wildlife Refuge Wilderness area,
Senior Game Biologist Robert Mangold and Principal
Fisheries Biologist Paul Hamer have reviewed this and
I am attaching their comments.

We are in basic agreement with the report and feel
that there is considerable work to be done on editing
and clarifying certain statements.

Sincerely yours,


Russell A. Cookingham
Director

RAC:hh
Att.

Preliminary Analysis of Draft

The draft environmental statement on the proposed Brigantine National Wildlife Refuge wilderness area has been reviewed.

We are in agreement with the philosophy, location and plans for this wilderness area, and feel that it is an excellent idea. We commend you for your initiative in proposing this area as an addition to the areas preserved in their natural state.

We do, however, feel that a more careful presentation would preclude any misunderstanding or any criticism by making a few minor corrections as suggested below:

On pages 4 and 17, the distance between Brigantine and Great Swamp is nearer 90 miles than 150.

On page 4 it is implied that clams were removed from unpolluted waters and planted in Great Bay, when in fact, they were removed from condemned waters for transplant.

On page 5 the report only mentions angling for bluefish and striped bass, when these are of no greater importance than fluke, summer flounder, weakfish, kingfish and perch.

On page 7; Little Beach island is only one of the nine surviving barrier beaches along the New Jersey coast; it is, however, the only roadless or undeveloped barrier beach.

On page 10, it is implied that a substantial amount of eel grass is present on the area, when it is really rather

scarce or rare here.

Page 12 implies that only four small birds are indigenous to the area; there are quite a few more than those mentioned. Other species not mentioned may include such birds as Glossy Ibis and Oyster Catcher, and such animals as the Otter.

(11)
Also on page 12, for example, more emphasis is placed on species (such as deer) and conditions (such as gravel pits) found outside the wilderness area with the implication made that all occur on the wilderness area.

(12)
On page 12 the implication is made that the Diamond-backed Terrapin is completely dependent on the Refuge.

(13)
On page 14, it is implied that boats (or perhaps only powered boats) would not be permitted on the wilderness area. This, especially, needs some clarification.

On the whole, we feel that no significant additions can be made to the statement.

Thank you for your consideration.

Robert Mangold, Senior Game Biologist

Paul E. Hamer, Principal Fisheries Biologist

STATE OF NEW JERSEY
DEPT. OF ENVIRONMENTAL PROTECTION
DIVISION OF FISH, GAME AND SHELL FISHERIES
P. O. BOX 1809
TRENTON, NEW JERSEY 08625

11/3/72

LETTER OF NOVEMBER 13, 1972, FROM THE DEPARTMENT OF ENVIRONMENTAL
PROTECTION, STATE OF NEW JERSEY

This letter is in basic agreement with the proposal but points out a few items which should be considered for accuracy of details.

On page ²¹47 of the final text the distance between Great Swamp Wilderness and Brigantine has been changed from 150 miles to 90 air miles.

The fact that clams are transplanted from condemned waters to Great Bay is established on page 4 of the final text.

Additional fish species were recommended to be as important to anglers as bluefish and striped bass. These species were added to the final text on page 5.

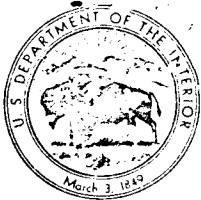
The status of Little Beach as a barrier beach was reinforced with the data supplied by this letter. Additional material was added to page 6 of the final text.

The letter reports eelgrass to be rather scarce or rare and certainly not a principal type of aquatic vegetation in waters surrounding and within the proposed area. Mention of eelgrass was eliminated from page ⁹10 of the final text.

On page ¹¹12, glossy ibis, American oyster catcher and others were added to examples of animal species present on the area as proposed by this letter.

We agreed with the possible implications of mentioning the white-tailed deer herd living outside the proposed area. Three sentences referring to this subject was eliminated from page ¹¹~~12~~ of the final text. Also the statement inferring the diamond-back terrapin to be dependent on the refuge was stricken from the text.

Use of boats on the wilderness area has been clarified on page ¹³~~14~~ of the final text.



United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

L7427-CC

APR 14 1972

Memorandum

To: Director, Bureau of Sport Fisheries and Wildlife
Attention: Chief, Office of Environmental Quality
Through: Assistant Secretary for Fish and Wildlife and Parks *Noted JV*
From: ^{Acting} Assistant Director, Cooperative Activities

Subject: Review of draft environmental statement for the proposed
Brigantine Wilderness Area in New Jersey (DES 72-20)

In accordance with Mr. R. E. Johnson's request contained in his memorandum of February 8, we reviewed the subject draft environmental statement.

We find that designation of this proposed wilderness area would affect no unit of the National Park System.

Although we offer no comments, we appreciate having an opportunity of reviewing the draft environmental statement.



National Parks Centennial 1872-1972

DATE December 11, 1973

HS-B72-35

TO: United States Dept. of Interior, Fish & Wildlife Service,
Bureau of Sport Fisheries and Wildlife
John W. McCormack Post Office and Courthouse
Boston, Massachusetts 02109 Attn: Ed Yaw

FROM: Dept. of Environmental Protection
Historic Sites Section, Terry Karschner

SUBJECT: E.I.S. - Historical and Archeological Sites

The area known as the Brigantine Wilderness Proposal was surveyed by the Historic Sites Section, Department of Environmental Protection on December 11, 1973.

The survey was done in order to determine what impact if any the wilderness proposal would have on the historical integrity or archeological importance of the area.

The survey determined:

- ☐ That there are no National Register or State Register sites in the area.
- ☒ That there are National Register or State Register sites in the area.
- ☐ That there are no historical or architectural structures impaired.
- ☐ That there are historic or architectural structures that should be avoided.
- ☐ That there are historic or architectural structures that should be rendered (photographed and drawn) before they are demolished.
- ☐ That there are no archaeological sites impaired.
- ☒ That a further study should be done of possible archaeological sites.
- ☐ That there are archaeological sites that should be excavated before the project commences.

COMMENT: The Old Coast Guard Station on Little Beach Island is on the State Register of Historic Places. To our knowledge it has not yet been placed on the National Register.

There is some potential for archeological excavation, but the proposal for a wilderness area would certainly not interfere with this potential.

Enclosed is a copy of New Jersey's State Register law, passed in 1970. Technically, it does not relate to the wilderness proposal. Placement of the Coast Guard Station would, however, require a hearing before your own department before the building could be demolished. (It is my own feeling that the wilderness takes precedent over the building, but I would hope that it could somehow be saved.

:RMV

STATE OF NEW JERSEY

INTRODUCED APRIL 9, 1970

By Assemblymen SCHLUTER, WEIDEL and TURNER

Referred to Committee on Agriculture, Conservation and
Natural Resources

AN Act to establish a New Jersey Register of Historic Places and
prescribing the powers, duties and functions of the Department
of Environmental Protection and the Division of Parks, Forestry
and Recreation and the Historic Sites Council in connection there-
with.

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. A New Jersey Register of Historic Places is established in
2 the Division of Parks, Forestry and Recreation of the Department
3 of Environmental Protection to consist of a permanent record of
4 areas, sites, structures and objects within the State determined to
5 have significant historical, archeological, architectural or cultural
6 value.

1 2. The Commissioner of Environmental Protection, with the
2 advice and recommendations of the Historic Sites Council, shall
3 establish criteria for receiving and processing nominations and
4 approval of areas, sites, structures and objects, both publicly and
5 privately owned, for inclusion in the Register of Historic Places,
6 together with appropriate documentation thereof to be included and
7 maintained in the register and for the public identification of such
8 historic places by appropriate plaques or documentation. The
9 owners of all areas, sites, structures or objects approved for in-
10 clusion in the register shall be provided with appropriate written
11 notification thereof by the department.

1 3. No State funds shall be expended for, or in aid of, acquisition,
2 preservation, restoration or maintenance as a historic place or site
3 of any area, site, structure or object unless and until the same shall
4 be approved for inclusion in the Register of Historic Places, but
5 this section shall not apply to presently owned or maintained State
6 Historic Sites.

ASSEMBLY, No. 892

1 4. ^{The}~~No~~ State, ^{city}county, municipality or agency or instrumentality of
 2 any thereof shall undertake any project which will encroach upon,
 3 damage or destroy any area, site, structure or object included in
 4 the Register of Historic Places without application to, and the
 5 prior written authorization or consent of, the Commissioner of
 6 Environmental Protection. The commissioner shall solicit the
 7 advice and recommendations of the Historic Sites Council in con-
 8 nection with any such application and may direct the conduct of a
 9 public hearing or hearings thereon prior to granting or denying
 10 authorization or consent. The failure of the commissioner to
 11 authorize, consent or deny any such application within 120 days of
 12 application therefor shall constitute his consent thereto.

1 5. There is appropriated to the Department of Environmental
 2 Protection for the purpose of establishing and maintaining the New
 3 Jersey Register of Historic Places such sums as shall be included
 4 in any annual or supplemental appropriation act.

1 6. This act shall take effect immediately.